

In the claims:

Please cancel claim 13.

Please amend claims 1 and 10 as follows.

1. (Amended) A non-volatile semiconductor memory device comprising:  
    a substrate;  
    a charge storage region on the substrate;  
    a control gate on the charge storage region; and  
    ✓ a gate mask on the control gate, wherein the gate mask is in the shape of a spacer, ||  
the gate mask operating as an etch mask during fabrication of the semiconductor memory  
device to define the underlying charge storage region and the control gate.

10. (Amended) A non-volatile semiconductor memory device comprising:  
    a substrate having a source and a drain;  
    a channel between the source and the drain;  
    a charge storage region over the channel;  
    a control gate over the charge storage region;  
    ✓ a gate mask being formed on an entire top surface of the control gate and being in . ||  
the shape of a spacer; and  
    ✓ a select gate on the channel and between the charge storage region and the drain;  
the charge storage region, the channel, the drain, the control gate and the select gate  
forming a first unit cell.